

2017CI20184 -D438

ANGELA E SAWYER ET AL VS UNITED PARCEL

1. DATE FILED: 10/20/2017

www.wws-ws.com

JUDICIAL DISTRICT

BEXAR COUNTY, TEXAS

On this 20 day of October, 2017, came on to be heard the Application of Plaintiffs for a temporary restraining order upon a verified petition. The Court having considered same is of the opinion that Defendant should be temporarily restrained from directly or indirectly by omission or commission auctioning, releasing, dismantling, selling, altering, downloading the black box or ECM, erasing the black box or ECM, downloading any electronic data, erasing any electronic data, transferring, destroying, repairing, disposing of and/or removing any evidence, including the tractor trailer involved in the death of **TERRY LEE SAWYER**, deceased, including destroying, removing, altering, disposing or shredding documents pertaining to said tractor trailer to include the manufacturer's manual, warranty, repair records, maintenance records, recalls and/or purchase orders or receipts of purchase for any component parts of the tractor trailer, or removing any items

A

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from the interior/exterior of said tractor trailer, or surveillance videos/security cameras on the date in question, which on or about October 17, 2017, at 6400 Seven States in San Antonio, Bexar County, Texas 78244.

It appearing to the Court that a temporary restraining order should issue,

IT IS ACCORDINGLY ORDERED, ADJUDGED and DECREED that the Clerk of this Court issue a Temporary Restraining Order which shall be operative and in effect until the hearing, set out below, and restrain Defendant, their agents, servants and/or employees, from directly or indirectly by omission or commission auctioning, releasing, dismantling, selling, altering, downloading the black box or ECM, erasing the black box or ECM, downloading any electronic data, erasing any electronic data, transferring, destroying, repairing, disposing of and/or removing any evidence, including the tractor trailer, involved in the death of **TERRY LEE SAWYER**, deceased, including destroying, removing, altering, disposing or shredding documents pertaining to said tractor trailer to include the manufacturer's manual, warranty, repair records, maintenance records, recalls and/or purchase orders or receipts of purchase for any component parts of the tractor trailer, or removing any items from the interior of said tractor trailer, or surveillance videos/security cameras on the date in question, which were involved in the incident which on or about October 17, 2017, at 6400 Seven States in San Antonio, Bexar County, Texas 78244.

It appears to the court that the evidence is vital to any investigation and/or reconstruction of the incident which occurred on or about October 17, 2017, which led to the death of Plaintiff, **TERRY LEE SAWYER**. Because of Plaintiffs' inaccessibility to the evidence in this case, the auction, release, dismantling, sale, downloading, alteration, destruction, transfer, disposal, repair, and/or removal of same would lead to irreparable harm to the Plaintiffs. Plaintiffs cannot be compensated in money damages for the relief that Plaintiffs seek. Furthermore, Plaintiffs have no

adequate remedy at law for prevention or redress which would result from the dismantling, release, sale, alteration, destruction, transfer, repair, disposal, and/or removal of the evidence, including the tractor trailer involved in the death of **TERRY LEE SAWYER**, in the incident which on or about October 17, 2017, at 6400 Seven States in San Antonio, Bexar County, Texas 78244.

Moreover, it appears a bona fide issue exists as to Plaintiffs' rights to ultimate relief.

It further appears to the Court that Plaintiffs will suffer immediate and irreparable harm if this temporary restraining order is not issued.

It is further ORDERED that a hearing be held on the 31 day of October, 2017, at 9:00 o'clock A.M., in the courtroom of the Presiding Judge of the District Courts of Bexar County, Texas, Room 109, Bexar County Courthouse, San Antonio, Texas, and that Defendant at such time shall show cause why a temporary injunction shall not issue, enjoining and restraining Defendant, their agents, servants and/or employees, auctioning, releasing, dismantling, selling, altering, downloading the black box or ECM, erasing the black box or ECM, downloading any electronic data, erasing any electronic data, transferring, destroying, repairing, disposing of and/or removing any evidence, including the tractor trailer involved in the death of **TERRY LEE SAWYER**, deceased, including destroying, removing, altering, disposing or shredding documents pertaining to said tractor trailer to include the manufacturer's manual, warranty, repair records, maintenance records, recalls and/or purchase orders or receipts of purchase for any component parts of the tractor trailer, or removing any items from the interior of said tractor trailer, or surveillance videos/security cameras on the date in question, which were involved in the incident which on or about October 17, 2017, at 6400 Seven States in San Antonio, Bexar County, Texas 78244.

It is further ORDERED that Plaintiffs shall, prior to the issuance of such Restraining Order, RP
file with the Clerk a cash Bond executed by it in the sum of Five hundred dollars and 00/100

(\$500.00) payable to the above named Defendant approved by the Court and conditioned as the law requires.

It is further ORDERED, ADJUDGED and DECREED that a temporary restraining order be issued without notice to Defendant ordering said Defendant to permit Plaintiffs' attorneys and investigators to inspect, photograph, videotape, including any surveillance video and conduct test(s) as necessary to the tractor trailer in question.

The ex parte Order was granted because of the immediate nature and need to preserve evidence.

Signed this 20 day of October, 2017. at 2:04 pm



JUDGE PRESIDING

10/23/2017 VOL 4821 PG 2255

2017CI20184 -D438

438TH JUDICIAL DISTRICT COURT

ANGELA E SAWYER ET AL VS UNITED PARCEL

DATE FILED: 10/20/2017

ANGELA ELIZABETH SAWYER,
Individually as Surviving Spouse of
TERRY LEE SAWYER, as Heir of
TERRY LEE SAWYER, as
Representative of the Heirs of TERRY
LEE SAWYER, and as Representative of
the Estate of TERRY LEE SAWYER,
Deceased; and CARTER LEE SAWYER,
DILLON LEE SAWYER, and MEAGAN
ELIZABETH SAWYER, Individually as
Surviving Adult Children of TERRY
LEE SAWYER, Deceased,

Plaintiffs,

VS.

UNITED PARCEL SERVICE, INC.,

Defendant.

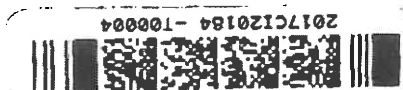
IN THE DISTRICT COURT

JUDICIAL DISTRICT

BEXAR COUNTY, TEXAS

TEMPORARY RESTRAINING ORDER

On this 20 day of October, 2017, came on to be heard the Application of Plaintiffs for a temporary restraining order upon a verified petition. The Court having considered same is of the opinion that Defendant should be temporarily restrained from directly or indirectly by omission or commission auctioning, releasing, dismantling, selling, altering, downloading the black box or ECM, erasing the black box or ECM, downloading any electronic data, erasing any electronic data, transferring, destroying, repairing, disposing of and/or removing any evidence, including the tractor trailer involved in the death of **TERRY LEE SAWYER**, deceased, including destroying, removing, altering, disposing or shredding documents pertaining to said tractor trailer to include the manufacturer's manual, warranty, repair records, maintenance records, recalls and/or purchase orders or receipts of purchase for any component parts of the tractor trailer, or removing any items



DOCUMENT SCANNED AS FILED

from the interior/exterior of said tractor trailer, or surveillance videos/security cameras on the date in question, which on or about October 17, 2017, at 6400 Seven States in San Antonio, Bexar County, Texas 78244.

It appearing to the Court that a temporary restraining order should issue,

IT IS ACCORDINGLY ORDERED, ADJUDGED and DECREED that the Clerk of this Court issue a Temporary Restraining Order which shall be operative and in effect until the hearing, set out below, and restrain Defendant, their agents, servants and/or employees, from directly or indirectly by omission or commission auctioning, releasing, dismantling, selling, altering, downloading the black box or ECM, erasing the black box or ECM, downloading any electronic data, erasing any electronic data, transferring, destroying, repairing, disposing of and/or removing any evidence, including the tractor trailer, involved in the death of **TERRY LEE SAWYER**, deceased, including destroying, removing, altering, disposing or shredding documents pertaining to said tractor trailer to include the manufacturer's manual, warranty, repair records, maintenance records, recalls and/or purchase orders or receipts of purchase for any component parts of the tractor trailer, or removing any items from the interior of said tractor trailer, or surveillance videos/security cameras on the date in question, which were involved in the incident which on or about October 17, 2017, at 6400 Seven States in San Antonio, Bexar County, Texas 78244.

It appears to the court that the evidence is vital to any investigation and/or reconstruction of the incident which occurred on or about October 17, 2017, which led to the death of Plaintiff, **TERRY LEE SAWYER**. Because of Plaintiffs' inaccessibility to the evidence in this case, the auction, release, dismantling, sale, downloading, alteration, destruction, transfer, disposal, repair, and/or removal of same would lead to irreparable harm to the Plaintiffs. Plaintiffs cannot be compensated in money damages for the relief that Plaintiffs seek. Furthermore, Plaintiffs have no

adequate remedy at law for prevention or redress which would result from the dismantling, release, sale, alteration, destruction, transfer, repair, disposal, and/or removal of the evidence, including the tractor trailer involved in the death of **TERRY LEE SAWYER**, in the incident which on or about October 17, 2017, at 6400 Seven States in San Antonio, Bexar County, Texas 78244.

Moreover, it appears a bona fide issue exists as to Plaintiffs' rights to ultimate relief.

It further appears to the Court that Plaintiffs will suffer immediate and irreparable harm if this temporary restraining order is not issued.

It is further ORDERED that a hearing be held on the 31 day of October, 2017, at 9:00 o'clock A.M., in the courtroom of the Presiding Judge of the District Courts of Bexar County, Texas, Room 109, Bexar County Courthouse, San Antonio, Texas ^{RP} and that Defendant at such time shall show cause why a temporary injunction shall not issue, enjoining and restraining Defendant, their agents, servants and/or employees, auctioning, releasing, dismantling, selling, altering, downloading the black box or ECM, erasing the black box or ECM, downloading any electronic data, erasing any electronic data, transferring, destroying, repairing, disposing of and/or removing any evidence, including the tractor trailer involved in the death of **TERRY LEE SAWYER**, deceased, including destroying, removing, altering, disposing or shredding documents pertaining to said tractor trailer to include the manufacturer's manual, warranty, repair records, maintenance records, recalls and/or purchase orders or receipts of purchase for any component parts of the tractor trailer, or removing any items from the interior of said tractor trailer, or surveillance videos/security cameras on the date in question, which were involved in the incident which on or about October 17, 2017, at 6400 Seven States in San Antonio, Bexar County, Texas 78244.

It is further ORDERED that Plaintiffs shall, prior to the issuance of such Restraining Order, ^{RP} file with the Clerk a cash Bond executed by it in the sum of Five hundred dollars and 00/100

(\$500.00) payable to the above named Defendant approved by the Court and conditioned as the law requires.

It is further ORDERED, ADJUDGED and DECREED that a temporary restraining order be issued without notice to Defendant ordering said Defendant to permit Plaintiffs' attorneys and investigators to inspect, photograph, videotape, including any surveillance video and conduct test(s) as necessary to the tractor trailer in question.

The ex parte Order was granted because of the immediate nature and need to preserve evidence.

Signed this 20 day of October, 2017. at 2:04 pm



JUDGE PRESIDING

2017-CI-20184

438TH JUDICIAL DISTRICT COURT

ANGELA E SAWYER ET AL VS UNITED PARCEL

DATE FILED: 10/20/2017



ANGELA ELIZABETH SAWYER,
Individually as Surviving Spouse of
TERRY LEE SAWYER, as Heir of
TERRY LEE SAWYER, as
Representative of the Heirs of TERRY
LEE SAWYER, and as Representative of
the Estate of TERRY LEE SAWYER,
Deceased; and CARTER LEE SAWYER,
DILLON LEE SAWYER, and MEAGAN
ELIZABETH SAWYER, Individually as
Surviving Adult Children of TERRY
LEE SAWYER, Deceased,

Plaintiffs,

VS.

UNITED PARCEL SERVICE, INC.,

Defendant.

IN THE DISTRICT COURT

FILED
JONNA KAY HEKINNEY
DISTRICT CLERK
BEXAR COUNTY

17 OCT 20 PM 1:52

BY *Richard H. Lee*
DEPUTY

JUDICIAL DISTRICT

FEE PAID
BEXAR COUNTY, TEXAS

APPLICATION FOR TEMPORARY RESTRAINING ORDER
WITHOUT NOTICE AND TEMPORARY INJUNCTION

Now come ANGELA ELIZABETH SAWYER, Individually as Surviving Spouse of TERRY LEE SAWYER, as Heir of TERRY LEE SAWYER, as Representative of the Heirs of TERRY LEE SAWYER, and as Representative of the Estate of TERRY LEE SAWYER, Deceased; and CARTER LEE SAWYER, DILLON LEE SAWYER, and MEAGAN ELIZABETH SAWYER, Individually as Surviving Adult Children of TERRY LEE SAWYER, Deceased, Plaintiffs in the above styled and numbered cause, and file this their Application for Temporary Restraining Order without Notice and Temporary Injunction complaining of UNITED PARCEL SERVICE, INC., Defendant, and in support thereof would show the Court as follows:

I. DISCOVERY CONTROL PLAN

1.1 Plaintiffs plead that discovery should be conducted in accordance with a discovery control plan under Rule 190.3 of the Texas Rules of Civil Procedure. Plaintiffs further plead that due to the complex nature of this case, they reserve their right to petition the Court to have this case governed by a discovery control plan pursuant to Rule 190.4 of the Texas Rules of Civil Procedure.

II. PARTIES

2.1 Plaintiffs, **ANGELA ELIZABETH SAWYER, Individually as Surviving Spouse of TERRY LEE SAWYER, as Heir of TERRY LEE SAWYER, as Representative of the Heirs of TERRY LEE SAWYER, and as Representative of the Estate of TERRY LEE SAWYER, Deceased; and CARTER LEE SAWYER, DILLON LEE SAWYER, and MEAGAN ELIZABETH SAWYER, Individually as Surviving Adult Children of TERRY LEE SAWYER, Deceased,** are residents of Williamson County, Texas.

2.2 Defendant, **UNITED PARCEL SERVICE, INC.** (hereinafter referred to as “UPS”), is a foreign corporation organized and existing under the laws of the State of Delaware authorized to and doing business in Bexar County, Texas. Service is requested pursuant to TEX. R. CIV. P. 103 and 106(a)(2) permitting the clerk of the court to serve Defendant by private process service or by mailing to Defendant by registered or certified mail, return receipt requested, a true and correct copy of the citation with service of process. Service may be had on the Defendant’s registered agent for service:

**Corporation Service Company d/b/a CSC-Lawyers Inco
211 E. 7th Street, Suite 620
Austin, TX 78701**

III. VENUE

3.1 Venue of this lawsuit is proper in Bexar County pursuant to the TEX. CIV. PRAC. & REM.

CODE ANN. §15.002 (General Rule), as all or a substantial part of the events or omissions giving rise to this cause of action that occurred in Bexar County, Texas.

IV. FACTS

4.1 On or about October 17, 2017, **TERRY LEE SAWYER**, Decedent, was an employee of Defendant, **UPS**, when suddenly and without warning, the tractor trailer he was working on, rolled back and pinned Plaintiff, **TERRY LEE SAWYER**. The incident in question occurred at 6400 Seven States in San Antonio, Bexar County, Texas 78244. As a result, **TERRY LEE SAWYER**, died at the scene.

V.

5.1 This is an application to enjoin and restrain Defendant from directly or indirectly by omission or commission auctioning, releasing, dismantling, selling, altering, downloading the black box or ECM, erasing the black box or ECM, downloading any electronic data, erasing any electronic data, transferring, destroying, repairing, disposing of and/or removing any evidence, including the tractor trailer involved in the death of **TERRY LEE SAWYER**, deceased. Further, that Defendant be enjoined and restrained from destroying, removing, altering, disposing or shredding documents pertaining to said tractor trailer to include the manufacturer's manual, warranty, repair records, maintenance records, recalls and/or purchase orders or receipts of purchase for any component parts of the tractor trailer, or removing any items from the interior/exterior of said tractor trailer, or surveillance videos/security cameras on the date in question, which were involved in the incident above described.

5.2 The request includes any evidence which may have been obtained and/or removed on or about October 17, 2017 to the present.

their agents, servants and/or employees from directly or indirectly by omission or committing any act to release, convey, sell, dismantle, alter, transfer, destroy, repair, download, dispose of and/or remove any evidence to include the tractor trailer in question and any documents pertaining to said tractor trailer described herein to include the manufacturer's manual, guide, warranty, repair records, maintenance records, recalls and/or purchase orders or receipts of purchase for any component parts of the tractor trailer, or remove any items from the interior of said tractor trailer, and surveillance videos/security cameras on the date in question which were involved in the incident in question.

Respectfully submitted,

THE HERRERA LAW FIRM, INC.
111 Soledad Street, Suite 1900
San Antonio, Texas 78205
Telephone: (210) 224-1054
Facsimile: (210) 228-0887

BY 

JORGE A. HERRERA
State Bar No. 24044242
Email: jherrera@herreralaw.com
LAURA E. GUTIERREZ TAMEZ
State Bar No. 00793869
Email: ltamez@herreralaw.com
JAVIER L. HERRERA
State Bar No. 24075498
Email: javier@herreralaw.com
ATTORNEYS FOR PLAINTIFFS

VERIFICATION

STATE OF TEXAS §

COUNTY OF BEXAR §

BEFORE ME, the undersigned Notary Public, personally appeared JORGE A. HERRERA, who, being by me first duly sworn, upon his oath, deposes and says:

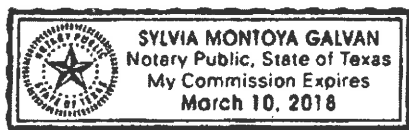
"My name JORGE A. HERRERA and I am the authorized representative of the Plaintiffs named in the Application for Temporary Restraining Order and Temporary Injunction. I am more than twenty-one (21) years of age, and I am competent to make this Verification.


I have read the foregoing Application for Temporary Restraining Order and Temporary Injunction and the statements contained therein are true and correct to the best of my knowledge."

SIGNED this 20th day of October, 2017.


JORGE A. HERRERA

20th SWORN AND SUBSCRIBED to before me by the said JORGE A. HERRERA on this the day of October, 2017.




Notary Public in and for
The State of Texas

My Commission Expires: 3/10/18



Cause

2017CI20184 -P00002

District Court :

2017-CI-20184

438TH JUDICIAL DISTRICT COURT

ANGELA E SAWYER ET AL VS UNITED PARCEL

DATE FILED: 10/20/2017

17 OCT 20 PM 1:56

FILED
ANNA KAY MCINNERY
DISTRICT CLERK
BEXAR COUNTYBY
DEPUTY
Richard [Signature]

Style: _____ Vs. _____

Request the following process: (Please check all that Apply)

- ☒ Citation ☐ Notice ☒ Temporary Restraining Order ☐ Notice of Application for Protective Order
☐ Temporary Protective Order ☐ Precept with hearing ☐ Precept without a hearing ☐ Writ of Attachment
☐ Writ of Habeas Corpus ☐ Writ of Garnishment ☐ Writ of Sequestration ☐ Capias ☐ Other: _____

1.

Name: United Parcel Service, Inc.

Registered Agent/By Serving: _____

Address _____

Service Type: (Check One) ☒ Private Process ☐ Sheriff ☐ Commissioner of Insurance ☐ SA Express News ☐ Hart Beat ☐ Courthouse Door
☐ Certified Mail ☐ Registered Mail ☐ Out of County ☐ Secretary of State ☐ Constable Pct _____
 (Pct. 3 serves process countywide)

2.

Name: _____

Registered Agent/By Serving: _____

Address _____

Service Type: (Check One) ☐ Private Process ☐ Sheriff ☐ Commissioner of Insurance ☐ SA Express News ☐ Hart Beat ☐ Courthouse Door
☐ Certified Mail ☐ Registered Mail ☐ Out of County ☐ Secretary of State ☐ Constable Pct _____
 (Pct. 3 serves process countywide)

3.

Name: _____

Registered Agent/By Serving: _____

Address _____

Service Type: (Check One) ☐ Private Process ☐ Sheriff ☐ Commissioner of Insurance ☐ SA Express News ☐ Hart Beat ☐ Courthouse Door
☐ Certified Mail ☐ Registered Mail ☐ Out of County ☐ Secretary of State ☐ Constable Pct _____
 (Pct. 3 serves process countywide)

4.

Name: _____

Registered Agent/By Serving: _____

Address _____

Service Type: (Check One) ☒ Private Process ☐ Sheriff ☐ Commissioner of Insurance ☐ SA Express News ☐ Hart Beat ☐ Courthouse Door
☐ Certified Mail ☐ Registered Mail ☐ Out of County ☐ Secretary of State ☐ Constable Pct _____
 (Pct. 3 serves process countywide)

Title of Document/Pleading to be Attached to Process: Temporary Restraining Order
Application for TROName of Attorney/Pro se: Jorge A Herrera Bar Number: 24044242Address: 111 Soledad St. Suite 1900 Phone Number: 210-224-6054
San Antonio, TX 78205Attorney for Plaintiff ☒ Defendant _____ Other _____

****IF SERVICE IS NOT PICKED UP WITHIN 14 BUSINESS DAYS, SERVICE WILL BE DESTROYED****

2017-CI-20184

CAUSE NUMBER (FOR CLERK USE OF)

438TH JUDICIAL DISTRICT COURT



2017CI20184 -P00003

STYLED Angela Elizabeth Sawyer, ANGELA E SAWYER ET AL VS UNITED PARCEL

(e.g., John Smith v

DATE FILED: 10/20/2017

A civil case information sheet must be completed.

health case or when a post-judgment petition for modification or motion for enforcement is filed in a family law case. The information should be the best available at the time of filing.

kson)

civil, family law, probate, or mental

1. Contact information for person completing case information sheet: Name: <u>Jorge A. Herrera</u> Email: <u>jherrera@herreralaw.com</u> Address: <u>111 Soledad St., Ste. 1900</u> Telephone: <u>(210) 224-1054</u> City/State/Zip: <u>San Antonio, TX 78205</u> Fax: <u>(210) 228-0887</u> Signature: <u>/s/ - Jorge A. Herrera</u> State Bar No: <u>24044242</u>		Names of parties in case: Plaintiff(s)/Petitioner(s): <u>Angela Elizabeth Sawyer, Terry Lee Sawyer, Carter Lee Sawyer, Dillon Lee Sawyer, Meagan Elizabeth Sawyer</u> Defendant(s)/Respondent(s): <u>United Parcel Service, Inc.</u> Additional Parties in Child Support Case: Custodial Parent: _____ Non-Custodial Parent: _____ Presumed Father: _____			
2. Indicate case type, or identify the most important issue in the case (select only 1):					
Civil		Family Law			
Contract <input type="checkbox"/> Debt/Contract <input type="checkbox"/> Consumer/DTPA <input type="checkbox"/> Debt/Contract <input type="checkbox"/> Fraud/Misrepresentation <input type="checkbox"/> Other Debt/Contract: Foreclosure <input type="checkbox"/> Home Equity—Expedited <input type="checkbox"/> Other Foreclosure <input type="checkbox"/> Franchise <input type="checkbox"/> Insurance <input type="checkbox"/> Landlord/Tenant <input type="checkbox"/> Non-Competition <input type="checkbox"/> Partnership <input type="checkbox"/> Other Contract:	Injury or Damage <input type="checkbox"/> Assault/Battery <input type="checkbox"/> Construction <input type="checkbox"/> Defamation Malpractice <input type="checkbox"/> Accounting <input type="checkbox"/> Legal <input type="checkbox"/> Medical <input type="checkbox"/> Other Professional Liability: <input type="checkbox"/> Motor Vehicle Accident <input type="checkbox"/> Premises Product Liability <input type="checkbox"/> Asbestos/Silica <input type="checkbox"/> Other Product Liability List Product: <input type="checkbox"/> Other Injury or Damage:	Real Property <input type="checkbox"/> Eminent Domain/Condemnation <input type="checkbox"/> Partition <input type="checkbox"/> Quiet Title <input type="checkbox"/> Trespass to Try Title <input type="checkbox"/> Other Property: Related to Criminal Matters <input type="checkbox"/> Expunction <input type="checkbox"/> Judgment Nisi <input type="checkbox"/> Non-Disclosure <input type="checkbox"/> Seizure/Forfeiture <input type="checkbox"/> Writ of Habeas Corpus—Pre-indictment <input type="checkbox"/> Other:	Marriage Relationship <input type="checkbox"/> Annulment <input type="checkbox"/> Declare Marriage Void Divorce <input type="checkbox"/> With Children <input type="checkbox"/> No Children Other Family Law <input type="checkbox"/> Enforce Foreign Judgment <input type="checkbox"/> Habeas Corpus <input type="checkbox"/> Name Change <input type="checkbox"/> Protective Order <input type="checkbox"/> Removal of Disabilities of Minority <input type="checkbox"/> Other:	Post-judgment Actions (non-Title IV-D) <input type="checkbox"/> Enforcement <input type="checkbox"/> Modification—Custody <input type="checkbox"/> Modification—Other Title IV-D <input type="checkbox"/> Enforcement/Modification <input type="checkbox"/> Paternity <input type="checkbox"/> Reciprocity (UIFSA) <input type="checkbox"/> Support Order Parent-Child Relationship <input type="checkbox"/> Adoption/Adoption with Termination <input type="checkbox"/> Child Protection <input type="checkbox"/> Child Support <input type="checkbox"/> Custody or Visitation <input type="checkbox"/> Gestational Parenting <input type="checkbox"/> Grandparent Access <input type="checkbox"/> Parentage/Paternity <input type="checkbox"/> Termination of Parental Rights <input type="checkbox"/> Other Parent-Child:	
Employment <input type="checkbox"/> Discrimination <input type="checkbox"/> Retaliation <input type="checkbox"/> Termination <input type="checkbox"/> Workers' Compensation <input type="checkbox"/> Other Employment:	Other Civil <input type="checkbox"/> Administrative Appeal <input type="checkbox"/> Antitrust/Unfair Competition <input type="checkbox"/> Code Violations <input type="checkbox"/> Foreign Judgment <input type="checkbox"/> Intellectual Property <input type="checkbox"/> Lawyer Discipline <input type="checkbox"/> Perpetuate Testimony <input type="checkbox"/> Securities/Stock <input type="checkbox"/> Tortious Interference <input type="checkbox"/> Other:			Probate & Mental Health <input type="checkbox"/> Guardianship—Adult <input type="checkbox"/> Guardianship—Minor <input type="checkbox"/> Mental Health <input type="checkbox"/> Other:	BY <u>17 OCT 20 PM 1:58</u> DEPUTY DISTRICT CLERK BEXAR COUNTY
Tax <input type="checkbox"/> Tax Appraisal <input type="checkbox"/> Tax Delinquency <input type="checkbox"/> Other Tax	Probate/Wills/Intestate Administration <input type="checkbox"/> Dependent Administration <input type="checkbox"/> Independent Administration <input type="checkbox"/> Other Estate Proceedings				
3. Indicate procedure or remedy, if applicable (may select more than 1):					
<input type="checkbox"/> Appeal from Municipal or Justice Court <input type="checkbox"/> Arbitration-related <input type="checkbox"/> Attachment <input type="checkbox"/> Bill of Review <input type="checkbox"/> Certiorari <input type="checkbox"/> Class Action		<input type="checkbox"/> Declaratory Judgment <input type="checkbox"/> Garnishment <input type="checkbox"/> Interpleader <input type="checkbox"/> License <input type="checkbox"/> Mandamus <input type="checkbox"/> Post-judgment		<input type="checkbox"/> Prejudgment Remedy <input type="checkbox"/> Protective Order <input type="checkbox"/> Receiver <input type="checkbox"/> Sequestration <input type="checkbox"/> Temporary Restraining Order/Injunction <input type="checkbox"/> Turnover	
4. Indicate damages sought (do not select if it is a family law case):					
<input type="checkbox"/> Less than \$100,000, including damages of any kind, penalties, costs, expenses, pre-judgment interest, and attorney fees <input type="checkbox"/> Less than \$100,000 and non-monetary relief <input type="checkbox"/> Over \$100,000 but not more than \$200,000 <input type="checkbox"/> Over \$200,000 but not more than \$1,000,000 <input type="checkbox"/> Over \$1,000,000					



Certificate of District Clerk That Plaintiff(s)
Made Cash Deposit In Lieu Of
Temporary Restraining Order Bond

CRT

The State of Texas
County of Bexar

438th Judicial District Court

I, Donna Kay M^cKinney, Clerk of the District Courts in and for Bexar County, Texas, do hereby certify that ANGELA ELIZABETH SAWYER, INDIVIDUALLY AS SURVIVING SPOUSE OF TERRY LEE SAWYER AS HEIR OF TERRY LEE SAWYER, AS REPRESENTATIVE OF THE HEIRS OF TERRY LEE SAWYER, AND AS REPRESENTATIVE OF THE ESTATE OF TERRY LEE SAWYER, DECEASED; AND CARTER LEE SAWYER, DILLON LEE SAWYER, AND MEAGAN ELIZABETH SAWYER, INDIVIDUALLY AS SURVIVING ADULT CHILDREN OF TERRY LEE SAWYER in Cause No. 2017CI20184, Styled ANGELA ELIZABETH SAWYER ET AL vs. UNITED PARCEL SERVICE, INC., have this day deposited the sum of FIVE HUNDRED DOLLARS (\$500.00) cash, which is the amount ordered by the Court in lieu of Temporary Restraining Order Bond.

WITNESS, Donna Kay M^cKinney, Clerk of the District Courts of Bexar County, Texas.
Given under my hand and seal of said Courts of Bexar County, Texas, on October 20, 2017.

Donna Kay M^cKinney
District Clerk, Bexar County, Texas

BY:

Fernanda Garcia, Deputy

DEPUTY

17 OCT 20 PM 3:44

FILED
DONNA KAY M^cKINNEY
DISTRICT CLERK
BEXAR COUNTY

PRIVATE PROCESS



2017CI20184 S00002

Case Number: 2017-CI-20184

ANGELA E SAWYER ET AL
VS.
UNITED PARCEL SERVICE INC

IN THE DISTRICT COURT
438th JUDICIAL DISTRICT
BEXAR COUNTY, TEXAS

TEMPORARY RESTRAINING ORDER

"THE STATE OF TEXAS"

With Bond

To: UNITED PARCEL SERVICE INC



Michelle Lopez
10-20-17

Whereas, in a certain cause pending on the docket of the 438th Judicial District Court of Bexar County, Texas, being cause number 2017-CI-20184, wherein ANGELA E SAWYER ET AL is Plaintiff and UNITED PARCEL SERVICE INC is Defendant. In said suit the Plaintiff has filed an Original Petition, asking among other things, for the granting and issuance of a Temporary Restraining Order, to restrain the Defendant, UNITED PARCEL SERVICE INC as fully set out and prayed for, a copy of which is attached hereto and to which reference is hereby made for the injunctive relief sought by the Plaintiff. Upon presentation and consideration of said petition, the Honorable RICHARD E. PRICE has entered the following, to-wit: copy of order attached to writ served, and whereas, bond (if required) has been filed and approved;

These are therefore, to RESTRAIN, and you the said Defendant, UNITED PARCEL SERVICE INC, are hereby RESTRAINED as fully set out in the Temporary Restraining Order, a copy of which is attached hereto, made a part hereof, and to which reference is hereby made for a full and complete statement of the injunctive relief ordered by the Court.

And you are further notified that the hearing on the Application for Temporary Injunction is set at the Bexar County Courthouse in the City of San Antonio, Texas on the 31st day of October, 2017, A.D., at 9:00 o'clock A.M. in room 1.09, Presiding District Court at which time you are required to appear and show cause, if any, why said Injunction should not be granted as prayed for.

HEREIN FAIL NOT TO OBEY THIS WRIT, UNDER THE PAINS AND PENALTIES PRESCRIBED BY LAW! ISSUED AND GIVEN UNDER MY HAND AND SEAL OF OFFICE, AT SAN ANTONIO, TEXAS the 20th Day of October A.D., 2017.

JORGE A HERRERA
ATTORNEY FOR PLAINTIFF
111 SOLEDAD ST 1900
SAN ANTONIO, TX 78205



Donna Kay McKinney
Bexar County District Clerk

By: *Lilyana Esquivel*, Deputy

RETURN

CAME TO HAND ON THE ____ DAY OF _____, A.D. ____ AT ____ O'CLOCK ____ .M. AND EXECUTED (NOT EXECUTED) ON THE ____ DAY OF _____, A.D., ____ BY DELIVERING TO _____ IN PERSON, A TRUE COPY OF THIS TEMPORARY RESTRAINING ORDER UPON WHICH I ENDORSED THE DATE OF DELIVERY. CAUSE OF FAILURE TO EXECUTE THIS TEMPORARY RESTRAINING ORDER IS _____

TOTAL FEES: _____

BY _____

_____, COUNTY, TEXAS

DOCUMENT SCANNED AS FILED

File Copy (Dk022)

PRIVATE PROCESS



2017CI20184 S00001

Case Number: 2017-CI-20184

ANGELA E SAWYER ET AL

VS.

UNITED PARCEL SERVICE INC

(Note: Attached Document May Contain Additional Litigants.)

IN THE DISTRICT COURT
438th JUDICIAL DISTRICT
BEXAR COUNTY, TEXAS

CITATION

"THE STATE OF TEXAS"

Directed To: UNITED PARCEL SERVICE INC

Michelle Lopez
10-26-17



"You have been sued. You may employ an attorney. If you or your attorney do not file a written answer with the clerk who issued this citation by 10:00 a.m. on the Monday next following the expiration of twenty days after you were served this CITATION and APPLICATION FOR TEMPORARY RESTRAINING ORDER WITHOUT NOTICE AND TEMPORARY INJUNCTION, a default judgment may be taken against you." Said APPLICATION FOR TEMPORARY RESTRAINING ORDER WITHOUT NOTICE AND TEMPORARY INJUNCTION was filed on the 20th day of October, 2017.

ISSUED UNDER MY HAND AND SEAL OF SAID COURT ON THIS 20TH DAY OF OCTOBER A.D., 2017.

JORGE A HERRERA
ATTORNEY FOR PLAINTIFF
111 SOLEDAD ST 1900
SAN ANTONIO, TX 78205



Donna Kay McKinney
Bexar County District Clerk
101 W. Nueva, Suite 217
San Antonio, Texas 78205

By: *Lilyana Esquivel*, Deputy

ANGELA E SAWYER ET AL
VS
UNITED PARCEL SERVICE INC

Officer's Return

Case Number: 2017-CI-20184
Court: 438th Judicial District Court

I received this CITATION on the _____ day of _____, 20____ at _____ o'clock ____M and () executed it by delivering a copy of the CITATION with attached APPLICATION FOR TEMPORARY RESTRAINING ORDER WITHOUT NOTICE AND TEMPORARY INJUNCTION on the date of delivery endorsed on it to _____, in person on the _____ day of _____, 20____ at _____ o'clock ____M. at: _____ or () not executed because _____.

Fees: _____ Badge/PPS #: _____ Date certification expires: _____

_____, County, Texas
By: _____

OR: VERIFICATION OF RETURN (If not served by a peace officer) SWORN TO THIS _____

NOTARY PUBLIC, STATE OF TEXAS

OR: My name is _____, my date of birth is _____, and my address is _____, _____ County.

I declare under penalty of perjury that the foregoing is true and correct. Executed in _____ County, State of Texas, on the _____ day of _____, 20____.

Declarant _____

FILE COPY (DK002)

DOCUMENT SCANNED AS FILED